

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TENIKA WILLIAMS,

**Plaintiff,**

v.

MICHAEL J. ASTRUE, Commissioner of  
the Social Security Administration,

Defendant.

CASE NO. 11-cv-05425-RBL-JRC

**REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND**

This matter has been referred to Magistrate Judge J. Richard Creaturea pursuant to 28

U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by Mathews,

Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on

19 Defendant's stipulated motion to remand the matter to the Commissioner for further

20 administrative proceedings. (ECF No. 16.)

After reviewing Defendant's stipulated motion and the relevant record, the undersigned

22 recommends that the Court grant Defendant's motion, and reverse and remand this matter to the

23 | Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g).

1 Following remand, based on the parties' stipulation, this Court recommends that the  
2 above-captioned case be reversed and remanded to the Commissioner for further administrative  
3 proceedings, including, but not limited to, the following actions:

4 The Administrative Law Judge (the "ALJ") should consider further  
5 whether or not Plaintiff's work activity in 2008 constituted substantial gainful  
activity;

6 The ALJ should consider further the severity of Plaintiff's impairments;

7 The ALJ should evaluate further the opinions of Dr. Dixon (Tr. 299-305)  
8 and Dr. Robinson (Tr. 322-325), and the ALJ should evaluate Dr. Turner's  
opinion (Tr. 326-333, 501);

9 The ALJ should obtain updated medical evidence from Plaintiff's treating  
10 source(s), and, if necessary, the ALJ should obtain consultative examination(s);  
and,

11 The ALJ should offer Plaintiff an opportunity to submit additional  
12 evidence and to have a hearing; and, if necessary, the ALJ should obtain evidence  
from a vocational expert.

13 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
14 immediately approve this Report and Recommendation and order that the case be **REVERSED**  
15 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

16 **JUDGMENT** should be for plaintiff, and the case should be closed.

17 Dated this 18th day of November, 2011.

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20 J. Richard Creatura  
21 United States Magistrate Judge  
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